IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

THURSDAY, THE 8TH FEBRUARY 2007 / 19TH MAGHA 1928

WP(C).No. 2118 of 2007(B)

PETITIONER:

M/S POOTHUNDU PLANTATIONS PRIVATE LIMITED, PADAGIRI, NELLIAMPATHY, PALAKKAD-678509 REPRESENTED BY ITS DIRECTOR, ANTONY GEORGE, S/O.LATE M.A.GEORGE, AGED 45 YEARS, RESIDING AT "MADATHILACKAL HOUSE, SEA-XION WARD, ALAPPUZHA.

BY ADV. SRI.G.P.SHINOD
SRI.RAM MOHAN.G.
SRI.MANU V.

RESPONDENTS:
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1. THE SUPERINTENDENT OF POLICE, PALAKKAD DISTRICT, PALAKKAD.

2. THE SUB INSPECTOR OF POLICE, PADAGIRI, NELLIYAMPATHI, PALAKKAD.

3. PALAKKAD DISTRICT PLANTATION AND GENERAL WORKERS UNION AFFILATED TO HIND MAZDOOR SABHA (H.M.S), PADAGIRI P.O., PALAKKAD- 678509 REPRESENTED BY ITS SECRETARY, N.KRISHNANKUTTY.

4. N.KRISHNANKUTTY, SECRETARY, PALAKKAD DISTRICT PLANTATION AND GENERAL WORKERS UNION AFFILIATED TO HIND MAZDOOR SABHA (H.M.S), PADAGIRI P.O., PALAKKAD- 678509.

BY ADV. SRI.JACOB SEBASTIAN FOR R3 AND R4
GOVERNMENT PLEADER SRI.P.A.SALIM

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 08/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC NO.2118/2007

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1: A TRUE PHOTOCOPY OF THE COMPLAINT SUBMITTED BY THE PETITIONER TO THE SECOND RESPONDENT.

EXT.P2: TRUE PHOTOCOPY OF THE RELEVANT PAGES OF THE POCKET CHECK ROLL OF POOTHUNDU ESTATE FOR THE MONTH OF AUGUST, 2006.

EXT.P2(a): TRUE PHOTOCOPY OF THE RELEVANT PAGES OF THE POCKET CHECK ROLL OF POOTHUNDU ESTATE FOR THE MONTH OF DECEMBER, 2006.

EXT.P2(b): TRUE PHOTOCOPY OF THE RELEVANT PAGES OF THE POCKET CHECK ROLL OF POOTHUNDU ESTATE FOR THE MONTH OF JANUARY, 2007.

EXT.P3: A TRUE PHOTOCOPY OF THE POCKET CHECK ROLL OF THE TEMPORARY WORKERS OF THE PETITIONER COMPANY FOR THE MONTH OF OCTOBER 2006.

EXT.P3(a): A TRUE PHOTOCOPY OF THE POCKET CHECK ROLL OF THE TEMPORARY WORKERS OF THE PETITIONER COMPANY FOR THE MONTH OF NOVEMBER, 2006.

EXT.P3(b): A TRUE PHOTOCOPY OF THE POCKET CHECK ROLL OF THE TEMPORARY WORKERS OF THE PETITIONER COMPANY FOR THE MONTH OF DECEMBER, 2006.

EXT.P3(c): A TRUE PHOTOCOPY OF THE POCKET CHECK ROLL OF THE TEMPORARY WORKERS OF THE PETITIONER COMPANY FOR THE MONTH OF JANUARY, 2007.

EXHIBITS OF R3

EXT. R3(a): TRUE COPY OF THE WAGE SLIP OF THE MEMBERS.

EXT.R3(b): TRUE COPY OF THE RECEIPT IN RESPECT OF THE E.P.F.CONTRIBUTION.

EXT.R3(c): TRUE COPY OF THE NOTICE DATED 29.12.2006 ISSUED BY THE DISTRICT LABOUR OFFICER, PALAKKAD.

EXT.R3(d): TRUE COPY OF THE NOTICE DATED 21.8.2006 OF THE PLANTATION INSPECTOR, NEMMARA

//TRUE COPY//

P.A. TO JUDGE

J.B.KOSHY & T.R.RAMACHANDRAN NAIR, JJ.

W.P.(C).NO.2118 OF 2007 (P)

Dated this the 8th day of February, 2007

J U D G M E N T

KOSHY,J.

This is a petition for police protection. An interim order of protection was already granted, provided, work is carried out by the permanent employees mentioned in the Ext.P2 Check roll. We also make it clear that work should be given to the workers mentioned under Ext.P2(a) and Ext.P2(b). If the unions or workers are of the opinion that more workers are to be engaged or right of employment is obstructed, they should get appropriate orders by raising disputes before the labour authorities. With the above observations this writ petition is disposed of.

J.B.KOSHY, JUDGE

T.R.RAMACHANDRAN NAIR, JUDGE

prp

J.B.KOSHY & K.P.BALACHANDRAN, JJ.

O.P.NO. OF 2006 ()

J U D G M E N T

1th January, 2007